

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

LEAPERS, INC.,

Plaintiff,

v.

Case No. 14-12290

SMTS, LCC d/b/a Tuff zone, TRARMS, INC.,
and SUN OPTICS USA,

Defendants.

**OPINION AND ORDER DENYING PLAINTIFF'S
MOTION FOR RECONSIDERATION**

This court granted Defendants' Motion for Summary Judgment (Dkt. # 67) and denied Defendants' request to cancel Plaintiff's state trade dress registrations in its Opinion and Order entered March 25, 2016. (Dkt. # 109.) Pending before the court is Plaintiff's Motion for Reconsideration of that Opinion and Order, filed April 7, 2016. (Dkt. # 112.) The court allowed the matter to be fully briefed. See E.D. Mich. L.R. 7.1(h)(2) After reviewing the parties' briefs, the court will deny Plaintiff's motion.

Subject to the court's discretion, a motion for reconsideration shall be granted only if the movant "demonstrate[s] a palpable defect by which the court and the parties . . . have been misled" and "show[s] that correcting the defect will result in a different disposition of the case." E.D. Mich. L.R. 7.1(h)(3). The court will not grant motions for reconsideration that "merely present the same issues ruled upon by the court." *Id.*

Plaintiff's arguments largely misapprehend the court's analysis and discussion of the record and fail to adequately address the court's reason for granting summary

judgment in the first place: Plaintiff has proffered only a series of conclusory opinions that are insufficient to create a genuine dispute of material fact. After carefully reviewing its Opinion and Order and the parties' briefs, the court concludes that Plaintiff has identified no palpable defect. Accordingly,

IT IS ORDERED that Plaintiff's Motion for Reconsideration (Dkt. # 112) is DENIED.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: October 5, 2016

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, October 5, 2016, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522